

ORDINANCE NO. 2006 -050

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **FUTURE LAND USE ELEMENT** (TO CREATE BIOSCIENCE RESEARCH PROTECTION OVERLAY TO ENSURE THE GROWTH AND STABILITY OF BIOSCIENCE RESEARCH/BIOTECHNOLOGY USES IN PROXIMITY TO THE SCRIPPS RESEARCH INSTITUTE CAMPUS IN COORDINATION WITH THE TOWN OF JUPITER, THE CITY OF PALM BEACH GARDENS, THE CITY OF RIVIERA BEACH, THE TOWN OF LAKE PARK AND THE TOWN OF MANGONIA PARK); THE **ECONOMIC ELEMENT** (TO INCORPORATE POLICIES THAT WILL PREVENT THE LOSS OF INDUSTRIAL AND COMMERCIAL SITES IN THE BIOSCIENCE RESEARCH PROTECTION OVERLAY IN COORDINATION WITH THE TOWN OF JUPITER, THE CITY OF PALM BEACH GARDENS, THE CITY OF RIVIERA BEACH, THE TOWN OF LAKE PARK AND THE TOWN OF MANGONIA PARK); THE **INTERGOVERNMENTAL COORDINATION ELEMENT** (TO INCORPORATE POLICIES THAT WILL PREVENT THE LOSS OF INDUSTRIAL AND COMMERCIAL SITES IN THE BIOSCIENCE RESEARCH PROTECTION OVERLAY IN COORDINATION WITH THE TOWN OF JUPITER, THE CITY OF PALM BEACH GARDENS, THE CITY OF RIVIERA BEACH, THE TOWN OF LAKE PARK AND THE TOWN OF MANGONIA PARK); THE **MAP SERIES** (TO ADD THE BIOSCIENCE RESEARCH PROTECTION OVERLAY TO THE MAP SERIES WHERE APPROPRIATE) AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and June 23, 2006 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing

1 pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2006
2 to review the recommendations of the Local Planning Agency, whereupon
3 the Board of County Commissioners authorized transmittal of proposed
4 amendments to the Department of Community Affairs for review and
5 comment pursuant to Chapter 163, Part II, Florida Statutes; and

6 **WHEREAS**, Palm Beach County received the Department of Community
7 Affairs "Objections, Recommendations, and Comments Report," dated
8 September 29, 2006 which was the Department's written review of the
9 proposed Comprehensive Plan amendments; and

10 **WHEREAS**, on November 13, 2006 the Palm Beach County Board of
11 County Commissioners held a public hearing to review the written
12 comments submitted by the Department of Community Affairs and to
13 consider adoption of the amendments; and

14 **WHEREAS**, the Palm Beach County Board of County Commissioners has
15 determined that the amendments as modified satisfy the concerns
16 addressed in the Department of Community Affairs' "Objections,
17 Recommendations and Comments Report" and comply with all requirements
18 of the Local Government Comprehensive Planning and Land Development
19 Regulations Act.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
21 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

22 **Part I. Amendments to the 1989 Comprehensive Plan**

23 Amendments to the text of the following Elements of the 1989
24 Comprehensive Plan are hereby adopted and attached to this Ordinance
25 in Exhibit 1:

26 **A. The Future Land Use Element**, to create a land use overlay
27 on unincorporated property in proximity to the future home
28 of the Scripps Research Institute (TSRI) at Abacoa/Briger
29 in order to protect the land for a bioscience/biotechnology
30 cluster;

31 **B. The Economic Element**, to incorporate policies that the flue
32 and ULDC include steps to ensure the growth and stability
33 of a bioscience cluster in proximity to TSRI;

34 **C. Intergovernmental Coordination Element**, to incorporate
35 policies that will prevent the loss of industrial and

1 commercial sites in the Bioscience Research Protection
2 Overlay in coordination with the town of Jupiter, the city
3 of Palm Beach Gardens, the city of Riviera beach, the town
4 of Lake Park and the town of Mangonia Park.

5
6 Part II. Repeal of Laws in Conflict

7 All local laws and ordinances applying to the unincorporated area
8 of Palm Beach County in conflict with any provision of this ordinance
9 are hereby repealed to the extent of such conflict.

10 Part III. Severability

11 If any section, paragraph, sentence, clause, phrase, or word of
12 this Ordinance is for any reason held by the Court to be
13 unconstitutional, inoperative or void, such holding shall not affect
14 the remainder of this Ordinance.

15
16 Part IV. Inclusion in the 1989 Comprehensive Plan

17 The provision of this Ordinance shall become and be made a part
18 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
19 Ordinance may be renumbered or relettered to accomplish such, and the
20 word "ordinance" may be changed to "section," "article," or any other
21 appropriate word.

22 Part V. Effective Date

23 The effective date of this plan amendment shall be the date a
24 final order is issued by the Department of Community Affairs or
25 Administration Commission finding the amendment in compliance in
26 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
27 applicable. No development orders, development permits, or land uses
28 dependent on this amendment may be issued or commence before it has
29 become effective. If a final order of noncompliance is issued by the
30 Administration Commission, this amendment may nevertheless be made
31 effective by adoption of a resolution affirming its effective status,
32 a copy of which resolution shall be sent to the Florida Department of
33 Community Affairs, Division of Community Planning, Plan Processing
34 Team. An adopted amendment whose effective date is delayed by law
35 shall be considered part of the adopted plan until determined to be

1 not in compliance by final order of the Administration Commission.
2 Then, it shall no longer be part of the adopted plan unless the local
3 government adopts a resolution affirming its effectiveness in the
4 manner provided by law.

5 APPROVED AND ADOPTED by the Board of County Commissioners of Palm
6 Beach County, on the 13 day of November, 2006.

7
8 ATTEST:

9 SHARON R. BOCK, CLERK
10 & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

11
12 By: Judith Croshaw
13 Deputy Clerk

By: Addie L. Greene
Addie L. Greene, Vice-Chairperson

14
15 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

16
17 [Signature]
18 COUNTY ATTORNEY

19
20 Filed with the Department of State on the 21st day of
21
22 November, 2006.

23
24 T:\planning\AMEND\06-2\admin\bccadopt\Ordinances\Ordinance_06-2_Text_BRPO Overlay.doc

ORDINANCE NO. 2006 050

EXHIBIT 1

A. Future Land Use Element, Bioscience Research Protection Overlay (BRPO)

REVISIONS: To revise and update to establish the BRPO. The revisions are numbered below, and shown with the added text underlined.

NEW: OBJECTIVE 2.10 Bioscience Research Protection Overlay (BRPO)

The purpose of the Bioscience Research Protection Overlay (BRPO) is to promote the growth and stability of bioscience research/biotechnology uses in proximity to The Scripps Research Institute (TSRI) campus at Abacoa/Briger and deterring the conversion of those uses to commercial or residential uses. This will be accomplished in coordination with the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County. The BRPO does not limit the uses currently allowed consistent with the property's existing land use designation and zoning designation including uses allowed pursuant to planned development approvals and development of regional impact approvals.

NEW: Policy 2.10-a: The Bioscience Research Protection Overlay (BRPO) – generally located and bifurcated North and South of Blue Heron Blvd, West of the C-17 canal and Garden Road and East of I-95; bordered in the North by Consumer Street and in the South by Interstate Park Way; The larger portion of the overlay lying in the area to the North of Blue Heron Blvd, with a smaller portion comprised of 8 parcels to the South, as well as the area included in the Florida Research Park (Palm Beach Park of Commerce) DRI approval – shall be depicted on the Special Planning Areas Map in the Comprehensive Plan Map Series.

NEW: Policy 2.10-b: The uses allowed and encouraged within the BRPO shall include science/biotechnology research uses and their supporting facilities; laboratories; other industrial uses including manufacturing uses; clinical research hospitals; and commercial retail or office uses that are accessory or ancillary to bioscience research/biotechnology uses provided all permitted, special, requested, DRO and accessory uses allowed in a planned development and/or development of regional impact shall continue.

NEW: Policy 2.10-c: Within the Overlay, residential uses shall be prohibited, and commercial uses shall be prohibited unless clearly accessory or ancillary to bioscience research/biotechnology uses or as have been or may be approved in connection with a land use mix for a planned development and/or development of regional impact.

NEW: Policy 2.10-d: The County shall encourage bioscience research/biotechnology uses as permitted uses within the Bioscience Research Protection Overlay (BRPO) so as to achieve, in coordination with adjacent municipalities, a clustering of bioscience research/biotechnology uses and thus to promote intellectual exchange between researchers, scientists, students and others in the bioscience research/biotechnology industry workforce.

NEW: Policy 2.10-e: The County shall adopt and maintain land development regulations that provide incentives for bioscience development and promote a predominance of bioscience research/biotechnology uses so as to develop a cluster of the industry in proximity to the TSRI campus at Abacoa/Briger.

NEW: Policy 2.10-f: Any proposed Future Land Use Atlas (FLUA) amendment or rezoning on a property within the BRPO that allows uses other than those encouraged by BRPO, specifically disallows uses encouraged by the BRPO or that the Planning Director determines would discourage uses encouraged by the BRPO must be presented to the Bioscience Land Protection Advisory Board prior to action being taken by the Board of County Commissioners (BCC). Further, the Planning Division shall notify the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of

Mangonia Park of any such proposals prior to any public hearings on any such amendment or rezoning.

NEW: Policy 2.10-g: Those parcels of land within the Overlay whose future land use and zoning designations permit bioscience research/biotechnology uses may not be converted to residential uses, or to commercial uses which are not clearly accessory or ancillary uses to bioscience research/biotechnology uses without a supermajority vote consisting of five members of the BCC. However, the limitation on conversion of uses does not apply to permitted, special, requested, DRO and accessory uses allowed in a planned development and/or development of regional impact.

REVISED:

**TABLE 2.1-3
OVERLAY SERIES**

Overlay	Tier	Reference
Revitalization and Redevelopment (R/R-O)	Urban Suburban Tier	Sub-Obj. 1.2.3
Westgate/Belvedere Community Redevelopment Area (WRCOA)	Urban/ Suburban Tier	Sub-Obj. 1.2.4
Palm Beach International Airport (PBIA-O)	Urban/ Suburban Tier	Sub-Obj. 1.2.5
Glades Area Economic Development (GA-O)	Glades Tier	Sub-Obj. 1.6.1
Sugar Cane Growers Cooperative of Florida Protection Overlay (Sugar Cane Grower Cooperative-O)	Glades Tier	Sub-Obj. 1.6.2
United Technologies (Pratt and Whitney-O)	None	Objective 2.7
Scientific Community Overlay	None	Objective 2.8
Glades Area Protection Overlay	West of L-8: Glades Tier East of L-8: None	Objective 2.9
<u>Bioscience Research Protection Overlay (BRPO)</u>	<u>Urban/Suburban Tier and None</u>	<u>Objective 2.10</u>
Native Ecosystem	Countywide All Tiers	Objective 5.2
John D. MacArthur Beach State Park Greenline	Urban/ Suburban	Objective 5.3
Jonathan Dickinson State Park Greenline	Urban/ Suburban	Objective 5.4
Turnpike Aquifer Protection (TAPO)	Urban/ Suburban	Objective 5.5

B. Economic Element, Bioscience Research Protection Overlay (BRPO)

REVISIONS: To revise and update to establish the BRPO. The revisions are numbered below, and shown with the added text underlined.

NEW: Policy 1.1-h: The County shall implement procedures in the Future Land Use Element (FLUE) and the Unified Land Development Code (ULDC) to help promote the growth and stability of a bioscience research/biotechnology cluster in proximity to The Scripps Research Institute (TSRI) campus at Abacoa/Briger.

C. Intergovernmental Coordination Element, Bioscience Research Protection Overlay (BRPO)

REVISIONS: To revise and update to establish the BRPO. The revisions are numbered below, and shown with the added text underlined.

NEW: Policy 1.1-g: Palm Beach County shall coordinate planning efforts with the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park in order to jointly identify land parcels in northern Palm Beach County which will provide opportunities for the development of bioscience research/biotechnology uses and will help discourage conversions of those parcels to residential uses or to commercial uses not clearly accessory or ancillary to bioscience/biotechnology uses. This

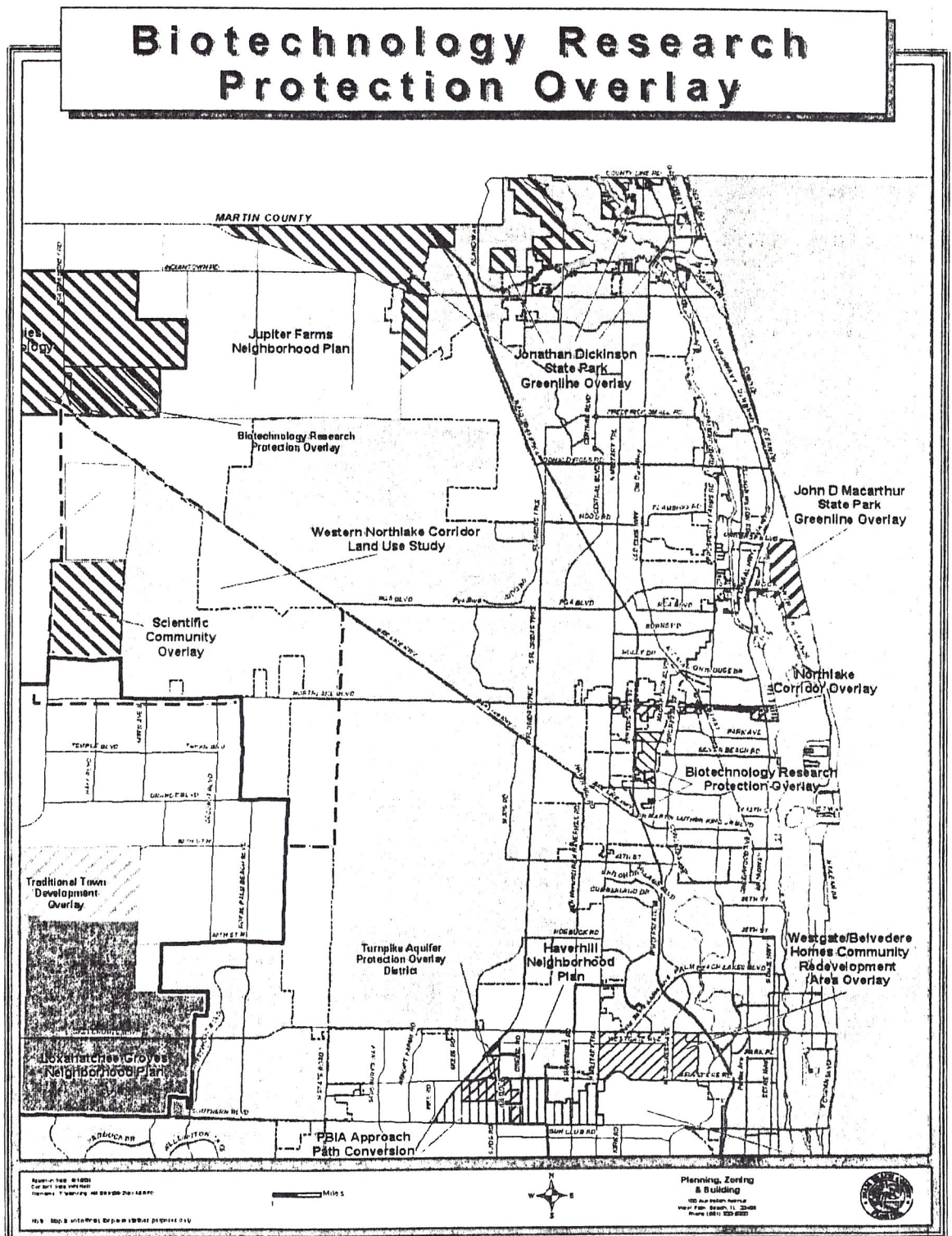
shall be accomplished by developing a unified vision with those municipalities and assigning a Bioscience Research Protection Overlay (BRPO).

NEW: Policy 1.1-r: The County shall provide the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park with all reports, data and analyses utilized in assigning the Bioscience Research Protection Overlay (BRPO) to a particular site or upon which the Count has relied in defining the area of the BRPO.

NEW: Policy 1.1-s: To assure greater cooperation with the participating municipalities, the County shall maintain an Interlocal Agreement to have representation on the Bioscience Land Protection Advisory Board (BLPAB) to ensure the protection of bioscience uses within the Bioscience Research Protection Overlay (BRPO).

D. Map Series, Special Planning Area Map, LU 3.1

REVISIONS: The Special Planning Area Map (LU 3.1) is revised to depict the boundaries of the BRPO. The boundaries are depicted in the graphic below and defined by the pcns and legal descriptions provided in this ordinance.



Property Control Numbers and Legal Description for Overlay:

106 Overlay Parcel with Industrial Land Use:

<i>Parcel ID</i>	<i>Acreage</i>	<i>Future Land Use</i>	<i>Zoning</i>
00434219050030030	1.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040130	1.07	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040190	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434219100000030	1.16	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010020000	1.03	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000007110	0.64	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040020	1.05	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003014	1.52	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010060010	1.73	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000007100	0.64	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020040	2.01	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050030	2.27	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003040	1.57	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050080	0.61	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140010000	10.82	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050120	1.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050000	0.42	INDUSTRIAL	LIGHT INDUSTRIAL
0043421913	1.01	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020130	1.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040170	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
0043421906	1.10	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020080	2.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040120	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
0043421907	1.12	INDUSTRIAL	LIGHT INDUSTRIAL
00434230080000051	2.36	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010090010	4.03	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020120	1.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050000010	14.22	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020010	2.09	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003035	1.57	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003120	1.44	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003060	4.05	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050010	1.08	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003110	2.18	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050060000	2.79	INDUSTRIAL	LIGHT INDUSTRIAL
00434231030000010	2.03	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050110	1.10	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020110	1.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050050	1.32	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140020010	1.55	INDUSTRIAL	LIGHT INDUSTRIAL
0043421909	1.86	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010090040	4.39	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010070000	0.61	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040110	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020140	1.48	INDUSTRIAL	LIGHT INDUSTRIAL
00434230080000010	5.55	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140020030	3.23	INDUSTRIAL	LIGHT INDUSTRIAL
00434230070000010	0.96	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003050	2.87	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020100	1.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003013	0.78	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003080	5.72	INDUSTRIAL	LIGHT INDUSTRIAL

00434219050020070	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050100	1.10	INDUSTRIAL	LIGHT INDUSTRIAL
00434230060010000	2.19	INDUSTRIAL	LIGHT INDUSTRIAL
00434219100000022	0.25	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003019	0.48	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050030	1.76	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040010	1.33	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050060	1.56	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030050	1.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040050	2.01	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050090	1.10	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030060	1.08	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030070	2.02	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030120	1.03	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050060	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010060000	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000007130	2.29	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140020020	3.09	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010010010	9.58	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030040	1.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003018	0.66	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030110	1.03	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020030	1.01	INDUSTRIAL	LIGHT INDUSTRIAL
00434230070000020	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
00434230080000030	1.27	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000007160	1.07	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000007120	1.40	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050070	1.04	INDUSTRIAL	LIGHT INDUSTRIAL
00434219100000010	2.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030020	1.11	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010030000	1.06	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040030	1.05	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050020060	1.01	INDUSTRIAL	LIGHT INDUSTRIAL
0043421908	2.07	INDUSTRIAL	LIGHT INDUSTRIAL
00434219100000040	4.67	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050030010	1.20	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040140	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040040	1.04	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050020	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003033	1.00	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003037	1.56	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040180	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003017	0.66	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140050000	7.26	INDUSTRIAL	LIGHT INDUSTRIAL
00434230000003016	0.61	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040150	1.26	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040160	1.13	INDUSTRIAL	LIGHT INDUSTRIAL
00434230010050040	1.57	INDUSTRIAL	LIGHT INDUSTRIAL
00434230140040000	12.95	INDUSTRIAL	LIGHT INDUSTRIAL
00434230240000020	6.18	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050050050	1.12	INDUSTRIAL	LIGHT INDUSTRIAL
0043421911	1.99	INDUSTRIAL	LIGHT INDUSTRIAL
00434219050040200	1.50	INDUSTRIAL	LIGHT INDUSTRIAL
00434231000003036	1.00	INDUSTRIAL	LIGHT INDUSTRIAL

Legal Description for the Palm Beach Park of Commerce:

A PARCEL OF LAND SITUATE IN SECTIONS 17, 18, AND 19, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE SOUTH 0104' 41" WEST, ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 5,443.04 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 8840'25" WEST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 5,375.38 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 0248'45" EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 2,893.36 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE BEELINE HIGHWAY, AS RECORDED IN ROAD BOOK 2, PAGE 152, AND ALSO BEING RECORDED IN OFFICIAL RECORD BOOK 112, PAGE 381, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THE FOLLOWING SIX COURSES ARE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THENCE NORTH 5339'52" WEST, A DISTANCE OF 3,587.09 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,808.79 FEET FROM WHICH A RADIAL LINE BEARS NORTH 3620'08" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2000'00", AN ARC DISTANCE OF 980.45 FEET; THENCE NORTH 3339'52" WEST, A DISTANCE OF 457.86 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,820.79 FEET FROM WHICH A RADIAL LINE BEARS NORTH 5620'08" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1100'00", AN ARC DISTANCE OF 541.55 FEET; THENCE NORTH 2239'52" WEST, A DISTANCE OF 1,594.85 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,608.65 FEET FROM WHICH A RADIAL LINE BEARS NORTH 6720'00" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 0333'33", A DISTANCE OF 162.05 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 1976, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 7053'41" EAST, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 660.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND AND THE BEGINNING OF A NON-TANGENT CURVE, HAVING A RADIUS OF 1948.65 FEET FROM WHICH A RADIAL LINE BEARS NORTH 7053'41" EAST; THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1839'00", AN ARC DISTANCE OF 634.29 FEET; THENCE NORTH 0027'19" WEST, CONTINUING ALONG THE EAST LINE OF SAID PARCEL, AND IN PART, THE WEST RIGHT-OF-WAY LINE OF ASSEMBLY LOOP ROAD, AS SHOWN ON THE PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 2, AS RECORDED IN PLAT BOOK 60, PAGES 49-50, A DISTANCE OF 997.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 190.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND SAID WEST RIGHT-OF-WAY LINE OF ASSEMBLY LOOP ROAD, THROUGH A CENTRAL ANGLE OF 51°08'01", AN ARC DISTANCE OF 169.57 FEET TO A POINT ON A NON-TANGENT LINE BEING 25.00 FEET WEST OF, AND PARALLEL WITH THE EAST LINE OF LOT 1L-2, SAID PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 2; THENCE NORTH 31°41'55" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, AND ALONG SAID PARALLEL LINE, A DISTANCE OF 87.19 FEET TO A POINT ON A LINE 25.03 FEET WEST OF, AND PARALLEL WITH, THE EAST LINE OF SAID LOT 1L-2; THENCE NORTH 06°29'10" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 240.66 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1L-2; THENCE NORTH 89°08'22" WEST, DEPARTING SAID PARALLEL LINE, AND ALONG THE NORTH LINE OF SAID LOT 1L-2, A DISTANCE OF 528.56 FEET TO THE EAST LINE OF TRACT B, AS SHOWN ON THE PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 1, AS RECORDED IN PLAT BOOK 56, PAGES 172-176, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°27'19" WEST, DEPARTING SAID NORTH LINE, AND ALONG SAID EAST LINE, A DISTANCE OF 100.03 FEET; THENCE SOUTH 8908'22" EAST, DEPARTING SAID EAST LINE, AND ALONG A LINE 660.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 4719.79 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 18; THENCE SOUTH

8856'16" EAST, ALONG A LINE 660.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 410.00 FEET; THENCE NORTH 0106'57" EAST, A DISTANCE OF 660.00 FEET TO THE NORTH LINE OF SAID SECTION 17; THENCE SOUTH 8856'16" EAST, ALONG THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 4,961.77 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING 1243.26 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL OF LAND ALSO HAS INCLUDED WITHIN IT THE ENTIRE PLAT OF "CALBUT GENPAR TRACT A" AS RECORDED IN PLAT BOOK 45, PAGES 70 & 71, A PORTION OF THE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1" AS RECORDED IN PLAT BOOK 56, PAGES 172-176, A PORTION OF THE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 2" AS RECORDED IN PLAT BOOK 60, PAGES 49 & 50, THE ENTIRE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 4" AS RECORDED IN PLAT BOOK 68, PAGES 88 & 89, THE ENTIRE PLAT OF CORPORATE ROAD NORTH AND WALGREENS DRIVE, AS RECORDED IN PLAT BOOK 91, PAGES 82-84, THE ENTIRE PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT III, AS RECORDED IN PLAT BOOK 103, PAGES 132 & 133, THE ENTIRE PLAT OF WALGREENS DISTRIBUTION CENTER AS RECORDED IN PLAT BOOK 91, PAGES 127-129, ALL AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LEGAL DESCRIPTION – PROPOSED ADDITION/REZONING:

THE NORTH 660 FEET OF SECTION 18, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO A ROAD RIGHT-OF-WAY ON THE WESTERLY 60 FEET THEREOF.

TOGETHER WITH:

THE WESTERLY 410 FEET OF THE NORTH 660 FEET OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

AREA OF SUBJECT PROPERTY (NOT INCLUDING ROAD RIGHT-OF-WAY FOR PRATT WHITNEY RD.) = 79.860 ACRES OR 3,478,740 SQUARE FEET.

**LESS AND EXCEPT: ALL OF THE PARCELS
SET FORTH IN "SCHEDULE 1" ATTACHED HERETO
AND MADE A PART HEREOF.**

"SCHEDULE 1"

EXCLUDED PARCELS

LOT "5C":

Lot 5C, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the map or plat thereof as recorded in Plat Book 56, Page 172, Public Records of Palm Beach County, Florida.

LOT "6C":

Lot 6C, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the map or plat thereof as recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

PARCEL "G-4":

Parcel 8, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

PARCEL "G-6":

Lot 13-C, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

PARCEL "H-1":

A parcel of land lying in Section 18, Township 41 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of Lot 6C, plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, as recorded in Plat Book 56, pages 172 through 176, public records of said County, said point of commencement also being a point on the Northeasterly right of way line of Beeline Highway (a 200 foot wide right of way); proceed North 53° 39' 52" West, along said Northeasterly right of way line, a distance of 772.09 feet to a point of curvature of a curve concave to the Northeast, having a radius of 2,808.79 feet; thence Northwest along the arc of said curve, departing said Northeasterly right of way line, through a central angle of 20° 00' 00", an arc distance of 980.45 feet to the point of tangency; thence North 33° 39' 52" West, a distance of 129.56 feet to a point on the South line of said plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, and a point on a non-tangent curve, through which a radial line bears South 33° 46' 53" East, said curve being concave to the Southeast, having a radius of 720.28 feet; thence Northeasterly along said South line, and the arc of said curve through a central angle of 15° 49' 55", an arc distance of 199.03 feet to a point on the South line of said Section 18 and the Point of Beginning; thence continue on said curve concave to the Southeast, having a radius of 720.28 feet; the following eight (8) courses are along the Southerly and Westerly lines of said plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1; thence Northeasterly along the arc of said curve through a central angle of 02° 10' 53", an arc distance of 27.42 feet to the point of tangency; thence North 74° 13' 55" East, a distance of 1,873.70 feet; thence South 64° 54' 03" East, a distance of 146.42 feet; thence South 70° 38' 10" West, a distance of 78.65 feet to a point of curvature of a curve concave to the East, having a radius of 125.00 feet; thence Southerly along the arc of said curve through a central angle of 88° 38' 33", an arc distance of 193.39 feet to the point of tangency; thence South 18° 00' 23" East, a distance of 83.77 feet to a point of curvature of a curve concave to the Northwest, having a radius of 175.00 feet; thence Southerly, Southwesterly and Westerly along the arc of said curve through a central angle of 131° 35' 04", an arc distance of 401.90 feet to the point of tangency; thence North 66° 25' 19" West, a distance of 80.95 feet to a point of curvature of a curve concave to the East, having a radius of 110.00 feet; thence Westerly, and Southwesterly along the arc of said curve through a central angle of 95° 37' 35", an arc distance of 183.59 feet to a point on the South line of said Section 18; thence North 87° 39' 28" West, departing said Westerly plat line, and along said South line, a distance of 1,378.18 feet to the Point of Beginning.

LOT "8C"

Lot 8C of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

LOT "14C, SECTION 18"

That portion of Lot 14C lying in Section 18, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 56, Pages 172 through 176.

LOT "14C, SECTION 19"

That portion of Lot 14C lying in Section 19, Township 41 South, Range 41 East, of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

Section 19 (E1 & E2)

PARCEL E-1:

Being a parcel of land lying in Section 19, Township 41 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Northwest corner of Lot 6C, plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, as recorded in Plat Book 56, pages 172 through 176, public records of said County, said Point of Beginning also being a point on the Northeasterly right of way line of Beeline Highway (a 200 foot wide right of way); thence North $53^{\circ}39'52''$ West, along said Northeasterly right of way line, a distance of 772.09 feet to a point of curvature of a curve concave to the Northeast, having a radius of 2808.79 feet; thence Northwesterly along the arc of said curve, departing said Northeasterly right of way line, through a central angle of $20^{\circ}00'00''$, and arc distance of 980.45 feet to the point of tangency; thence North $33^{\circ}39'52''$ West, a distance of 129.56 feet to a point on the South line of said plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, and a point on a non-tangent curve, through which a radial line bears South $33^{\circ}46'53''$ East; thence Northeasterly along said South line and the arc of said curve through a central angle of $15^{\circ}49'55''$, an arc distance of 199.03 feet to a point on the North line of said Section 19; thence South $87^{\circ}39'28''$ East, departing said South line, and along said North line a distance of 1378.18 feet to a point on the Westerly line of said Plat No. 1 and a point on a non-tangent curve through which a radial line bears South $72^{\circ}02'53''$ East, said curve concave to the Northeast, having a radius of 110.00 feet; thence following seventeen (17) courses are along the Westerly line of said Plat No. 1; thence Southwesterly, Southerly, Southeasterly, and Easterly departing said North line, and along the arc of said curve through a central angle of $112^{\circ}58'14''$, an arc distance of 216.89 feet to the point of tangency; thence North $84^{\circ}58'53''$ East, a distance of 49.68 feet to a point of curvature of a curve concave to the Southwest, having a radius of 100.00 feet; thence Southeasterly, Southerly, and Southwesterly along the arc of said curve through a central angle of $127^{\circ}53'43''$, an arc distance of 223.22 feet to the point of tangency; thence South $32^{\circ}52'35''$ West, a distance of 148.20 feet to a point of curvature of a curve concave to the Northeast, having a radius of 60.00 feet; thence Southeasterly and Southerly along the arc of said curve through a central angle of $107^{\circ}33'37''$, an arc distance of 112.64 feet to the point of tangency; thence South $74^{\circ}41'01''$ East, a distance of 43.11 feet to a point of curvature of a curve concave to the Southwest, having a radius of 100.00 feet; thence Southeasterly, and Southerly along the arc of said curve through a central angle of $80^{\circ}39'06''$, an arc distance of 140.76 feet to the point of tangency; thence South $05^{\circ}58'05''$ West, a distance of 103.90 feet to a point on a non-tangent curve through which a radial line bears South $05^{\circ}58'05''$ West, said curve being concave to the Southwest, having a radius of 558.62 feet; thence Southeasterly along the arc of said curve through a central angle of $30^{\circ}22'03''$, an arc distance of 296.08 feet to the point of tangency; thence South $53^{\circ}39'52''$ East, a distance of 287.40 feet; thence South $36^{\circ}20'08''$ West, a distance of 80.00 feet; thence North $53^{\circ}39'52''$ West, a distance of 287.40 feet to a point of curvature of a curve concave to the South, having a radius of 478.62 feet; thence Westerly along the arc of said curve through a central angle of $46^{\circ}10'48''$, an arc distance of 385.76 feet to a point of cusp of a curve through which a radial line bears North $65^{\circ}48'42''$ West, said curve being concave to the Northwest having a radius of 75.00 feet; thence Southwesterly along the arc of said curve through a central angle of $74^{\circ}54'26''$, an arc distance of 98.05 feet to a point of reverse curvature of a curve concave to the South, having a radius of 150.00 feet; thence Southwesterly along the arc of said curve, through a central angle of $45^{\circ}22'55''$, an arc distance of 118.81 feet to a point of compound curvature of a curve concave to the East, having a radius of 100.00 feet; thence Southwesterly, Southerly, and Southeasterly along the arc of said curve through a central angle of $115^{\circ}52'57''$, an arc distance of 202.25 feet to a point on a non-tangent line; thence South $36^{\circ}20'08''$ West, a distance of 307.98 feet to the Point of Beginning.

PARCEL E-2:

Being a parcel of land lying in Section 19, Township 41 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Southeast corner of Lot 4C, as shown on the plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT. NO. 1, as recorded in Plat Book 56, pages 172-176, public records of said County; the following three courses are along the Southeasterly line of said Plat No. 1; thence North $36^{\circ}20'08''$ East, a distance of 755.00 feet; thence South $53^{\circ}39'52''$ East, a distance of 60.00 feet; thence North $36^{\circ}20'08''$ East, a distance of 355.96 feet to a point on the West line of the plat of CALBUT GENPAR, as recorded in Plat

Book 45, pages 70 and 71, public records of said County; thence South 02°48'45" East, departing said Southeasterly line of Plat No. 1, and along said West line, and along a line 617.00 feet West of and parallel with, the East line of said Section 19, a distance of 1,432.54 feet to a point on the Northeasterly right of way line of Beeline Highway (State Road 710); thence North 53°39'52" West, departing said West line, a distance of 964.40 feet to the Point of Beginning.

PARCEL "K3"

A parcel of land lying over the plat of CALBUT GENPAR TRACT A, according to the plat thereof recorded in Plat Book 45, page 70, Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Section 19, Township 41 South, Range 41 East, proceed South 02° 48'45" East, along the East line of said Section 19, a distance of 2,043.17 feet; thence South 87° 11'15" West, departing said East line, a distance of 150.00 feet to a point on the West line of Canal Tract 8, as shown on the plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, as recorded in Plat Book 56, pages 172 through 176, public records of said County, and the Point of Beginning; thence South 02° 48'45" East, along said West line, a distance of 728.08 feet to a point on the Northeasterly right of way line of Beeline Highway (State Road 710); thence North 53° 39'52" West, departing said West line, and along said Northeasterly right of way line, a distance of 602.18 feet to a point on the West line of the said plat of CALBUT GENPAR TRACT A; thence North 02° 48'45" West, along said West plat line, a distance of 1,432.54 feet to a point on the Southeasterly line of Lot 13C, as shown on said plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1; thence North 36° 20'08" East, departing said West plat line, and along said Southeast line of Lot 13C, a distance of 84.21 feet to a point on the Westerly line of Wetlands Preservation Tract 13, as shown on said plat of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, and a point on a non-tangent curve through which a radial line bears North 72° 03'16" East, said curve being concave to the Northeast, having a radius of 500.00 feet; the following five (5) courses are along the Westerly and Southerly lines of said Wetlands Preservation Tract 13; thence Southeasterly along the arc of said curve through a central angle of 01° 03'01", an arc distance of 9.17 feet to the point of tangency; thence South 18° 59'45" East, a distance of 455.30 feet to a point of curvature of a curve concave to the West, having a radius of 530.00 feet; thence Southerly along the arc of said curve through a central angle of 30° 30'08", an arc distance of 282.15 feet to the point of reverse curvature of a curve concave to the East, having a radius of 200.00 feet; thence Southerly along the arc of said curve through a central angle of 58° 30'07", an arc distance of 204.21 feet to the point of tangency; thence South 46° 59'44" East, a distance of 329.38 feet to the Point of Beginning.

Lot "7C"

Lot 7C, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the plat thereof recorded in Plat Book 56, page 172, Public Records of Palm Beach County, Florida.

Lot "4C"

Lot 4C, PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, according to the Plat thereof, recorded in Plat Book 56, page 172 of the Public Records of Palm Beach County, Florida

Lot "9C-A"

The North 168.10 feet of Lot 9C, PALM BEACH PARK OF COMMERCE, P.I.P.D., Plat No. 1, as shown in Plat Book 56, Pages 172 through 176, inclusive, Public Records of Palm Beach County, Florida, said property also being as Lot 9C-A per Affidavit of Plat recorded in Official Records Book 5822, Page 1092, Public Records of Palm Beach County, Florida.

Lot "9C-B"

Lot 9C less the North 168.10 of PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, as shown in Plat Book 56 at pages 172 through 176, inclusive, of the Public Records of Palm Beach County, Florida, said conveyed property also

being described as Lot 9C-B per Affidavit of Waiver of Plat recorded in office
Records Book 5822, page 1092, of the Public Records of Palm Beach County,
Florida.